

THE FUTURE OF RURAL LAW ENFORCEMENT

Article

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This Command College project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.

Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future, creating it, constraining it, adapting to it. A futures study points the way.

The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).

ARTICLE

Introduction

The term Rural Law Enforcement brings to mind images of the old style cowboy type Sheriff or Marshal that brought peace to the frontier with a sense of right vs. wrong, a strong will, and a loaded six shooter. However, modern day law enforcement, particularly Sheriff's Departments throughout the United States, patrol and enforce laws in rural settings to varying degrees.

The days of Mayberry RFD where a town had one Sheriff or Marshal are becoming more and more an item for Americana folklore. The small towns knew their law enforcement officers by their first names, where they lived, and trusted them to keep the peace in their community. What's interesting to note is the current emergence of the Community Oriented Policing and Problem Solving (COPPS) philosophy that has taken a strong hold on modern policing techniques nation wide. An argument can be made that COPPS is not new, but just a form of early day Rural Law Enforcement practices whereby the cop and the citizen worked together to solve mutual problems.

This study delves into the concept of Rural Law Enforcement, from an historical account, current practices, as well as a look into the future of the many applications and transformations of this type of specialty law enforcement. Following the historical perspective, the project will offer a

strategic plan that will address the RLE issues, including but not limited to;

Transition Techniques

Operating Plans

Project Findings, and

Recommendations.

History

Any discussion of the origin of police methodology must include the teachings of Sir Robert Peel, 1788-1850. Peel developed the Constabulary Act in 1822 aimed at keeping the peace in Ireland, as well as the first organized police agency in London via his Metropolitan Police Act in 1829, which sired the first uniformed police officers or bobbies. ¹

His dedication to public service via the organizing of a police force with written guidelines set the stage for others to follow.

The leap to Rural Law Enforcement as defined in the proceeding section, was not as defined as Peel's organization. Instead, the seeds for Rural Law Enforcement were planted in the "Wild West", or that geographical area described as any land west of the Mississippi of the United States. As the population pushed westward from the established eastern cities, law enforcement was slow to follow. It was not until the establishment of communities, or small frontier towns, was the need for an organized form of law enforcement to become evident.

This early form of policing became apparent in various forms, but all originated from the desire of the United States federal government to have it's own arm of officials to enforce and carry out the dictates of the Federal Judicial system as established in 1798.²

There were three tiers of law enforcement recognized during the latter days of the 1800's and the early 1900's. ³

First, the United States Marshal, appointed by the President of the United States and given a geographical area of responsibility to preside over. The U.S. Marshal, being a political appointee, seldom ventured far from his office, more often than not enjoying the trappings of a well-paid position. His pay was in the form of overseeing an allotted budget, and keeping what monies he saved as his own.

However, there was a need for a field enforcement arm, and this was filled by the position of Deputy Marshal. These individuals were selected and appointed to their positions by the U.S. Marshal of that respective area. The Deputy Marshal carried out his duties under the authority of the U.S. Marshal, and performed such tasks as; Enforcing arrest warrants, Rounding up juries for cases to be tried in court, Serving subpoenas, Gathering possess for man hunts, and any other duty deemed necessary by the courts via the U.S. Marshal. It was the Deputy Marshal that traveled throughout the regional jurisdiction acting as the on scene law enforcement representative with broad powers of arrest, search, and seizure. Unlike the U. S. Marshal, the Deputy

Marshal earned his pay via the amount he worked, and was paid at a fixed rate. He usually earned \$2.00 per arrest, 50 cents for each court paper, or writ served, and had an allowance of \$1.00 per day for expenses provided he could produce receipts.⁴ Of course, getting written receipts in those days was an art in itself, and often the \$1.00 per day for expenses went uncollected.

The final and third level of law enforcement in the old west during this time frame was the town Marshal. This position was appointed by the individual towns via a select committee of leading citizens, and the authority was limited to the city or town limits. Often times the town Marshal held two or three jobs, as the law enforcement pay was not enough to make ends meet. Also at this level was the county Sheriff, who was elected by voting citizens of that particular county. The Sheriff had no jurisdiction in the towns, if the Marshal was present. Both the town Marshall and county Sheriff usually held extracurricular jobs, such as the case of James Butler Hickok, known as Wild Bill Hickok. In Abilene, Kansas when he served as the town Marshal, Hickok held his headquarters for all official marshal business at his casino, The Alamo. He conducted both his public and his private business from this venue, with an eye toward making a few dollars from whichever source would benefit him the most. He ultimately lost his town Marshal job after shooting into a group of drunks with his pistol, killing one of the troublemakers as well as a town policeman, his aid. Hickok's fate was

sealed in history when he was killed by a bullet to the back of his head while gambling in a saloon at the town of Deadwood in the Dakota Territory. Prior to being hung for the murder, the shooter by the name of Jack McCall was asked why he didn't meet Hickok face to face prior to shooting him, to which McCall replied that he didn't want to commit suicide.⁵

Strategic Plan

It is at this point in this paper that a strategic plan will be discussed. Using tools such as the Nominal Group Technique process, the Scenario Development, SWOT (Strengths, Weaknesses, Opportunities, and Threats), as well as the identification of the Stakeholders, the strategic plan must set forth an avenue for the organization to follow.

In the issue statement, "What is the future of Rural Law Enforcement in a large county by the year 2006?", the strategic plan will attempt to set the stage for preparing an avenue as well as an answer to the issue statement.

While the issue statement can be reflected as a broad statement on the face value, it can also focus on the aspect of Rural Law Enforcement and the application to providing a viable means of law enforcement services to the public at large. If it is accepted that RLE is a good thing, and that it is both wanted and accepted by the general public as well as

the organization, then the strategic plan needs to focus on this positive train of thought.

The history portion of this paper clearly demonstrated the origins and applications of RLE from the earliest days in the American West, and brought the concept of RLE full circle to present day functionality.

Included in the discussion were examples of restructuring RLE, from positive methods to absolute elimination of RLE, as was the case of Death of a Rural Patrol Station in Chapter One.

It is suggested that the time is ripe to combine the readily accepted concept of Community Oriented Policing (COPS), with RLE techniques. Across the nation COPS has found a foothold in present day policing, which isn't surprising as the Federal Government is providing large amounts of money and equipment to all law enforcement agencies that will implement some type of COPS philosophies in their departments.

The strategic plan suggested by this author incorporates this COPS mentality with the tried and true RLE philosophy so prevalent in most large county law enforcement agencies to date.

As the population increases in the backcountry areas, so too must the ability to provide law enforcement services to these areas increase. An acceptance by the law enforcement agency to incorporate the COPS grants into obtaining more personnel and equipment can be a corner stone to build upon. The RLE philosophy of building the common bond between the citizens and the deputies by familiarization of the two can

and will put public confidence into the “bank” for the department to draw from in times of need.

In the mid-1970’s law enforcement managers were concerned about beat cops becoming too familiar with the citizens on their beats, as they felt it would breed all forms of corruption. In fact, the practice in those days was to rotate the law enforcement officers from beat to beat, in order to dissuade any attempt of familiarity with the citizens. Most of today’s law enforcement managers grew up in that era and their reservations about beat familiarity carries over in many department policies today.

It is time to encompass, promote, and perpetuate the COPS philosophy that only by working with the various communities can law enforcement in the rural areas be successful in providing the types of services that can improve the quality of life for all concerned.

Strategic planning on Rural Law Enforcement preparation for the future will include;

1. Recognizing that RLE can best be served by providing RLE deputies with permanent beats to work,
2. A buy-in by the department’s managers that RLE is an extension of the current COPS philosophy, as stated in previous pages,
3. A cohesive team building approach between the law enforcement agency and the identified stakeholders,

including snail darters, in order to tailor a specific plan for that particular community,

4. A complete saturation training program for all RLE deputies and administrators of same to provide an avenue for progressive thought in updating new technology and practices in the RLE arena,
5. Constant evaluation and re-evaluation of current practices in RLE, in order to identify that which works, and that which doesn't,
6. Provide various incentives and career paths for deputies assigned to RLE, so that if inclined a deputy can aim his or her career towards RLE in a progressive manner, as opposed to an end in and of itself,
7. Finally, utilize the history of the large county law enforcement department to supplement RLE operations.

In order to achieve the goals listed about in the strategic plan, there must be a catalyst of thought within the agency that will allow for the plan to operate.

PLAN

After meeting and discussing various options available to implement the strategic plan, leaders of the department can conduct an in-depth analysis of their particular part in the plan. From this analysis, they will be ready to identify stakeholders, snail darters, problems,

opportunities, etc, and gather again with the management personnel who will go forward RLE implementation.

They also will be able to develop alternative strategies, which will be ready in the case of changing influences on the RLE plan. These changes can take the form of: newly elected Sheriff, change of leadership in the targeted community, change of political leadership in the Board of Supervisors of the County, economic down-turns or up-trends which will affect the ability to fill positions in the RLE plan, change of rate of calls for service, or change of geographical boundaries as in the case of a county area incorporating into its' own city.

For the purposes of this paper, the following strategy was selected as the catalyst for RLE planning:

Rural Law Enforcement will be developed in the backcountry areas with the intention of preserving a law enforcement presence in the communities served by assigning deputies to RLE duty on a full time basis. It is recognized that smaller is sometimes better, and it will be the goal to of the county to establish small RLE sub-stations with deputies living and working in the areas they serve, available in an on-call status for response to law enforcement situations.

Having stated the vision, and cheerleading the concept, the leader must now appoint a project manager to be responsible for the day to day operations of the transition team. The team is now in place to effect the

change, and to keep the leader advised of the successes, as well as the failures.

In the case of the RLE plan, the project manager must be someone in a position to carry the change process through with enough authority to make it happen upon approval of the leader. An upper law enforcement manger, preferably with patrol responsibilities would be ideal for this position. Key management staff as well as others from inside and outside the Department would be appropriate members of the transition team, again, underscoring their enthusiasm for the RLE vision and the success of the implementation. This team must take direction from the leader, enact the change process, identify the steps, interface with all stakeholders and snail darters, and evaluate the final results for future changes.

Transition Techniques

The transition can be accomplished by identifying the basic three components of Strategist, Implementers, and Recipients. All three should be included in the change process.

Perhaps the most important aspect of effecting the change is to not only identify the Critical Mass group, but also to move them into the category that will most assist in making the change happen. For instance, moving the Personnel Manager of a large county Sheriff's Department from the Let It Happen into the Make It Happen will greatly

assist in providing a career path for RLE deputies, thus making it easier to fill open positions in the table of organization.

Other groups that may need to be nudged in the Critical Mass group will be the; Labor Union to provide more leeway in the Memorandum of Understanding as far as call-out compensation, etc, the residents in the community (o help in providing office space for store fronts for more ready access to their RLE personnel, and local politicians, showing them what they can positively gain from a stronger degree of a law enforcement presence in their respective voter base.

Another key aspect of transition techniques is to keep a constant flow of information via updates processed throughout all levels of the organization, as well as the stakeholders and snail darters outside the organization. Working in a blackout situation on any project will only serve to either undermine the desire outcome, or to simply leave the avenue open to someone to state, "What? I thought that project was dead!"

These are just a few of the techniques and questions that need to be addressed in the RLE transition period. Some are more apparent than others, but all need to be handled for the project to be deemed a success. The issues are involved, but not undefeatable. There is a history of the success of Rural Law Enforcement throughout the state of California. Some departments have gone back to the drawing table to look at RLE again, and to ascertain if perhaps it can work for their county.

Project Findings

The research for this paper revealed a trend that California counties provide some type of Rural Law Enforcement services in a fixed position in over one half of the fifty eight counties. With the influx of population increasing in the RLE areas, as well as the concept of Community Oriented Policing, it is an accepted statement that the days of RLE could be increasing, as opposed to decreasing. Supporting this statement is the fact that approximately one third or 31.2 percent of all Americans residing in the United States live in a rural area.⁶

Also prevalent in the research is the fact that many issues facing RLE as discovered in the Nominal Group Technique can be handled via the posting of resident deputies into these rural communities in fixed positions.

Based upon the research, new technology such as Computer Aided Dispatch and Mobile Data Computers in patrol vehicles have enabled the RLE deputy to spend more time interacting with the community that he or she patrols. This interaction is a corner stone of Community Oriented Policing, and ties in closely to RLE techniques. With the advent of available funds in the COPS arena, the community and the law enforcement agency can finance RLE programs via a cooperative effort.

Agencies such as the San Diego Sheriff's Department have already implemented this concept by deploying COPS funded deputy sheriff positions to the backcountry rural areas. These deputies have proven to

be a tremendous asset in supplying cover to the assigned rural deputies, as well as implementing community projects in their respective areas.

Recommendations

It is the author's recommendation that counties research the feasibility of applying Rural Law Enforcement deputies on a larger scale than currently practiced.

Implementation will be conducted by;

1. Providing a vision of RLE for that particular county, including an historical perspective
2. Identifying stakeholders and snail darters
3. Establishing a Transition Team to implement an RLE concept for that Department based on;
 - A. Future forecasting
 - B. Career path development within a RLE Division
 - C. Interaction with the individual community to establish partnership ideology in law enforcement services
 - D. Monitoring results and adapt according to the vision

Progressive patrol, investigative, and other police services in various Sheriff's Departments often look for methods of improving upon those services. It is not uncommon for ideas generated in an urban setting, such as beat integrity, to be a foundation for RLE practices. This also holds true for the opposite, or using RLE practices at a twenty four patrol multi-shift patrol station.

The time is ripe to take advantage of a generous economy, a positive public opinion in reference to the general attitude towards law enforcement, and an acceptance by most all concerned to work with communities in solving crime and related quality of life issues. The RLE deputy can be the catalyst and serve as a change agent if given the opportunity and the tools to succeed.

Conclusion

Most Sheriff Departments stand on the threshold of providing a Rural Law Enforcement model that can be very effective in their respective rural areas. However, there is a danger that some will think that the old time policing models, as discussed in the history chapter of this paper, are the route for modern law enforcement to travel. But this is definitely not the case. As John P. Crank of Boise State University pointed out in his article in Community Policing in a Rural Setting when he wrote:

Nineteenth-century police myths may be heartwarming, but they offer scant consolation to a small town cop who is seeing increased immigration of wealthy retirees and is dealing with the threat of escalating drug and gang activity. Only by increasing effectiveness of police to do something about crime through the expansion of line officer skills and knowledge, and decentralization of organizational authority so that officers have more authority to act on their own, can community based reform efforts help cops deal with these rural problems.⁷

The future of RLE rest with progressive thinking law enforcement leaders acting to strengthen their RLE units by maintaining fixed RLE

positions, and increasing the number of these positions as the population increases.

Using today's technology, economic base, community oriented policing philosophies, as well as empowering employees at the lowest level possible, will serve to enhance and develop Rural Law Enforcement in Sheriff Departments statewide. Law enforcement leaders must shed the baggage learned from the 1970's and embrace the 21st century in allowing RLE to develop, grow, progress, and become a mainstay for rural policing techniques.

ENDNOTES

¹ *Webster's II New College Dictionary*, ed. Marion Severynse (Boston, New York: Houghton Mifflin Company, 1995), p. 970.

² "U.S. Marshals – *The Old West*", History Channel, narrated by Roger Mudd, viewed on Channel 35, Cox Cable Company, July, 2000.

³ Leon C. Metz, "U.S. Marshal – *The Old West*", History Channel, narrated by Roger Mudd, viewed on Channel 35, Cox Cable Company, July, 2000.

⁴ Frederick S. Calhoun, Historian, "U.S. Marshal – *The Old West*", History Channel, narrated by Roger Mudd, viewed on Channel 35, Cox Cable Company, July, 2000.

⁵ Paul Trachtman, "The Gunfighters", ed. George Constable (Chicago: Time-Life Books, 1981), p. 102 and 121.

⁶ "Rural Law Enforcement Fact Sheet", The National Center for Rural Law Enforcement (NCRLE), available from <http://www.ncrle.net/fact.htm>, Internet accessed May 5, 2000.

⁷ McGarrel & Thurman, "Community Policing in a Rural Setting", p. 54.